APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/662,531	09/15/2000	Kannan Varadhan	La Porta 46-16-7-4-6	1919

50959   7590   02/06/2008
WERNER & AXENFELD, LLP
P.O. BOX 1629
WEST CHESTER, PA 19380

EXAMINER
SHAND, ROBERTA A

ART UNIT	PAPER NUMBER
2616	

MAIL DATE	DELIVERY MODE
02/06/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04 October 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11,13 and 14* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11, 13 and 14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some *　c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

.1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the ·
> manner in which the invention was made.

2.   ˌClaims 1-11, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Inoue (U.S. 6510153 B1) in view of Kari (U.S. 6636491 B1).

3.   Regarding claim 1, Inoue teaches (fig. 12) a method creating a bootstrapping agent (col.

18, lines 59-62) that works cooperatively with a M-IP home agent to allocate a temporary home

address (Inoue teaches acquiring a home address for the mobile) to the host that powers up in a

foreign network (Inoue teaches that the mobile is turned on in the visited site, col. 16, lines 8-

13); using the M-IP protocol to contact the M-IP home agent and request the bootstrapping agent

to allocate the temporary home address to the host (col. 16, line 60 – col. 17, line 16) including a

permanent home address allocated by a DHCP protocol between the mobile and the home

network (fig. 12) when the mobile powers up in the foreign network, thereby allowing the

mobile host that powers up in a foreign network to connect to the internet,

4.   Although Inoue teaches allocating a dynamic address using DHCP, Inoue does not

explicitly teach using the temporary home address to *create a temporary tunnel* between foreign

agents associated with the host and the M-IP home agent, wherein the temporary tunnel is used

to communicate configuration information including a permanent home address allocated..

5.   Kari teaches (col. 6, line 55 – col. 7, line 2) creating a temporary tunnel for

communicating data such as dynamic address allocation. It would have been obvious to one of

ordinary skill in the art to adapt Kari's tunnel to Inoue's system that has dynamic address

allocation as tunnels are well known in the art for communicating data.

6.   Regarding claim 2, Inoue teaches (col. 5, lines 47-59) the foreign agent is co-located with

the host.

7.   Regarding claim 3, Inoue teaches (fig. 1) the foreign agent is located on a device that is

external to the host and resides in the foreign network

8.   Regarding claims 4 and 6, as for the bootstrapping agent assigning address from a pool of

addresses, it is inherent in Inoue's system that a plurality of addresses are available in dynamic

address allocation protocol (abstract).

9.   Regarding claim 5, as for the private address taking the form 10*, this is a well known

format of address in private network's and It would have been obvious to one of ordinary skill in

the art to adapt this to Inoue and Kari's as it is in the art.

10.   Regarding claim 7, Inoue teaches (col. 16, line 60 – col. 17, line 67) a DHCP client

located on the host is used to generate messages requesting the configuration information from a

DHCP server via the temporary tunnel.

11.   Regarding claim 8, as for the messages generated by the DHCP client are modified at the

host to have a format consistent (col. 18, lines 59-62) with a DHCP relay, it is inherent in Inoue's

system that messages generated by the DHCP client has a consistent format.

12.   Regarding claim 9, Inoue teaches (fig. 12) a method for enabling a mobile host without

an IP home address to connect to the internet when powering up in a foreign network (Inoue

teaches that the mobile is turned on in the visited site, col. 16, lines 8-13), comprising: obtaining

a temporary IP home address for the host powering up in a foreign network (col. 18, lines 59-62)

without an IP home address from an IP address source accessible through a mobile IP home

agent\; acquiring configuration parameters including a permanent IP home address from a DHCP

server (fig. 4) in the home network of the host;

13.   Although Inoue teaches allocating a dynamic address using DHCP, Inoue doe not teach

establishing a transient tunnel between the mobile IP home agent and a mobile foreign agent

associated with the mobile host while the foreign network.

14.   Kari teaches (col. 6, line 55 – col. 7, line 2) creating a temporary tunnel for

communicating data such as dynamic address allocation. It would have been obvious to one of

ordinary skill in the art to adapt Kari's tunnel to Inoue's system that has dynamic address

allocation as tunnels are well known in the art for communicating data.

15.   Regarding claim 10, Inoue teaches (fig. 12) a method for enabling configuration of a

portable host device that powers up in a foreign network to communicate using the internet,

comprising: communicating a temporary home address to the host that powers up in a foreign

network from bootstrapping agent operating cooperatively with a mobile IP home agent that

serves the host device when it operates in the foreign network (col. 18, lines 59-62); and

obtaining a permanent address from a DHCP server via the transient bi-directional

communication link, wherein the permanent address use thereafter to configure the host to

communicate with the internet.

16.   Although Inoue teaches allocating a dynamic address using DHCP, Inoue does not teach

establishing a transient bi-directional link between the host and the mobile IP home agent using

the M-IP protocol and the temporary home address

17.   Kari teaches (col. 6, line 55 – col. 7, line 2) creating a temporary tunnel for

communicating data such as dynamic address allocation. It would have been obvious to one of

ordinary skill in the art to adapt Kari's tunnel to Inoue's system that has dynamic address

allocation as tunnels are well known in the art for communicating data.

18.   Regarding claim 11, as for additional configuration parameters are provided to the host

via the transient bi-directional communication link, Kari teaches setting up tunnel for

transmitting data. Tunnels are well known in the art for transmitting a variety of data.

19   Regarding claim 13, Inoue teaches (fig. 12) a method for configuring a mobile that

powers up in a foreign network (Inoue teaches that the mobile is turned on in the visited site, col.

16, lines 8-13), comprising: a M-IP protocol to connect the mobile host that powers up in a

foreign network to is home network (col. 18line 59 - 62) using an IP broadcasting (col. 12, lines

20-28) protocol so that the host can discover a addressing DHCP server in its home network, and

using the DHCP protocol to communicate addressing and configuration information between the

server and the mobile (col. 1, 1-56).

20. Inoue does not teach setting up a temporary IP tunnel.

21. Kari teaches (col. 6, line 55 – col. 7, line 2) creating a temporary tunnel for

communicating data such as dynamic address allocation. It would have been obvious to one of

ordinary skill in the art to adapt Kari's tunnel to Inoue's system that has dynamic address

allocation as tunnels are well known in the art for communicating data.

22. Regarding claim 14, Inoue teaches (fig. 12) a method for configuring the mobile host

when it powers up in a foreign network without an IP home agent address, comprising: obtaining

a temporary IP home address for the host from an IP address source accessible through the home

server (col. 16, lines 8-67).

23. Inoue does not teach establishing a transient tunnel between the mobile IP home server

and a mobile foreign server using the temporary IP home address.

24. Kari teaches (col. 6, line 55 – col. 7, line 2) creating a temporary tunnel for

communicating data such as dynamic address allocation. It would have been obvious to one of

ordinary skill in the art to adapt Kari's tunnel to Inoue's system that has dynamic address

allocation as tunnels are well known in the art for communicating data.

Response to Arguments

25. Applicant's arguments with respect to claims 1-11, 13 and 14 have been considered but

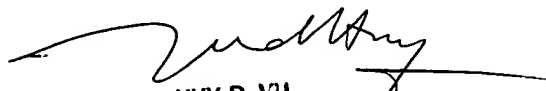are moot in view of the new ground(s) of rejection.

Conclusion

26.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Roberta A Shand whose telephone number is 571-272-3161. The
examiner can normally be reached on M-F 9:00am-5:30pm.

27.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the
organization where this application or proceeding is assigned is 571-273-8300.

28.   Information regarding the status of an application may be obtained from the Patent
Application Information Retrieval (PAIR) system. Status information for published applications
may be obtained from either Private PAIR or Public PAIR. Status information for unpublished
applications is available through Private PAIR only. For more information about the PAIR
system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR
system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Roberta A Shand
Examiner
Art Unit 2616

HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600